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U.S. Department of Labor. Children's bureau. Juvenile delinquency in certain countries at war. 1918.



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U. S. DEPARTMENT OF LABOR CHILDREN'S BUREAU

JULIA C. LATHROP, Chief

JUVENILE DELINQUENCY IN

CERTAIN COUNTRIES AT WAR

A BRIEF REVIEW OF AVAILABLE FOREIGN SOURCES

DEPENDENT, DEFECTIVE, AND DELINQUENT CLASSES SERIES No. 5

Bureau Publication No. 39



WASHINGTON GOVERNMENT PRINTING OFFICE 1918

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LETTER OF TRANSMITTAL.

U. S. DEPARTMENT OF LABOR,
CHILDREN'S BUREAU,
Washington, March 6, 1918.

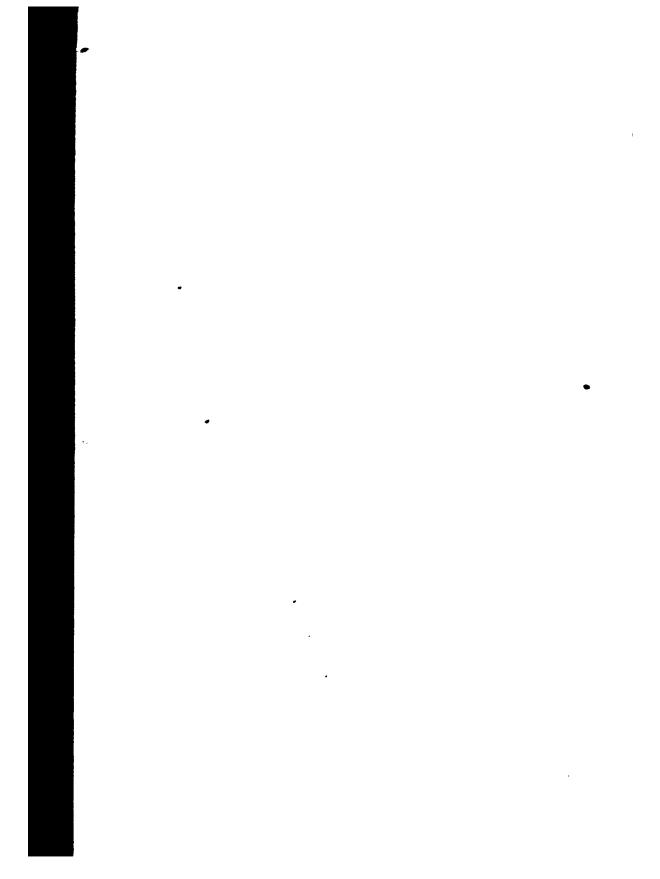
Sir: In the study of child welfare in warring countries which the Children's Bureau has been carrying on since the declaration of war by the United States, frequent references have been found to the effect of war upon children's behavior and upon community measures for the prevention and the treatment of juvenile delinquency. The available material about juvenile delinquency in certain foreign countries during the war has been summarized in the following report.

The reading for this report was done by Miss Mary D. Hopkins with a corps of assistants assigned to individual countries as follows: Mrs. Marie Francke Smith, England; Mrs. Charlotte E. Kruesi, France; Dr. Frank H. Pike, Germany; Miss Anna Kalet, Russia. The text of the report was written by Miss Anna Rochester. Respectfully submitted.

Julia C. Lathrop, Chief.

Hon. W. B. Wilson, Secretary of Labor.

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JUVENILE DELINQUENCY IN CERTAIN COUNTRIES AT WAR.

INTRODUCTION.

That juvenile delinquency in European countries has increased during the war is indicated by the testimony of social workers, judges concerned with children's cases, and students of criminology. Available statistics of increase are incomplete and unsatisfactory, but such as they are they tell almost everywhere the same story of an increasing number of children brought to court and an increasing seriousness in their offenses. Not only from the allies in western Europe but from Germany and from Russia come reports of special efforts to combat a growing evil.

The current discussion in foreign reports and reviews indicates something of the distinctive problems in each country. Our data are of necessity too scattered and haphazard to permit a fair comparison, but it seems worth while to review briefly the causes of increase and the suggested measures of prevention discussed by the experts of various countries whose published statements are available to us in America. They may well serve to remind us that when the normal life of children is broken down, when their needs are neglected by the community, children and community alike must pay the penalty.

ENGLAND.

In May, 1916, Sir Edward Troup, undersecretary of state at the Home Office, sent to all clerks to the justices throughout England a letter which opened with the following statement:

Size: I am directed by the secretary of state to say, for the information of your justices, that he has had under consideration representations respecting the recent increase in the number of offenses by children and young persons (under 16 years of age), and that he finds, from inquiries which have been made of the police of 17 of the largest towns, that comparing the three months December, 1914, to February, 1915, with the three months December, 1915, to February, 1916, the total number of children and young persons charged with punishable offenses has grown from 2,686 to 3,596, and that the increase has been experienced in practically all the towns consulted. The increase in the number of juvenile offenders is mainly caused by an increase of nearly 50 per cent in cases of larceny, but there were also more charges of assault, malicious damage, gaming, and offenses against the education acts.

¹ The Child, July, 1916, p. 510.

²A "child" is under 14 years of age; a "young person" is 14 but under 16 years of age.

Mr. Cecil Leeson, secretary of the Howard Association of England, warns us, in his book on "The Child and the War," that the number of children charged with offenses may not be identical with the number of children who have actually offended, but he says that an analysis of court records by the Howard Association leads him to believe that "if anything, these figures understate, rather than overstate, the gravity of the situation."

The reports for 1914 and for 1915 of the chief inspector of reformatory and industrial schools show larger numbers of children (especially boys) committed to these institutions in 1915 than in either of the two years preceding. For the same years, the records of the juvenile courts in certain Yorkshire cities (the only cities for which such figures happen to be available) show an increase not only in the number of children sent to institutions but in the number kept under supervision.²

But why this increase? Certain causes are suggested by all writers on the subject: The absence of fathers with the army, and of mothers in the factory; the crowding of school buildings and reduction to half-time schedules. Mr. Leeson tells us: "About 1,200 school buildings have been taken for hospitals, and their pupils distributed among neighboring schools, with the result that school hours are curtailed * * *. The bearing of this on juvenile delinquency is seen when it is remembered that the child's extra leisure coincides with his parents' entire lack of leisure, owing to war work." Leaders have been drawn away from schools and clubs; parks and playgrounds have been closed; children have had higher wages, and the extraordinary demand for labor has intensified the sense of freedom from discipline which comes to a child with independent wage earning.

The final report of the Departmental Committee on Juvenile Education in Relation to Employment after the War notes an increase in gambling and extravagance. It speaks of the deterioration in behavior and morality among young people and, in this same connection, of the overtaxing of their powers by excessive hours of strenuous work. The lowered moral tone resulting from overfatigue is of course a fact of common knowledge. On the other hand, the chief inspector of reformatory and industrial schools, Charles E. B. Russell, comments on the better food and resulting greater energy that the war-time prosperity has brought:

The truth is that for many reasons opportunities for misapplied energy on the part of young people are much greater than before the war. There is more energy also to respond to the opportunity, for boys living in the crowded districts are in general, owing to the immensely increased wages of their

¹ The Child and the War, p. 15.

⁸ Yorkshire Post, Leeds, Dec. 4, 1916.

The Child and the War, p. 29.

⁴ The Child. Mar., 1917.

parents, better fed, better clad, and consequently healthier and more physically vigorous than they were. At the same time many of the ordinary restraining influences upon irregular displays of physical vigor have for the time vanished. * * * There is unrest more or less marked in every home, whilst the pictures in the halfpenny illustrated papers—practically the only newspapers these boys see—tell of excitement and sensational adventure. Small depredations of all kinds may be committed in the darkened streets with extraordinary impunity, and often are committed by high-spirited children as much for the fun of the thing as from covetousness.

For the children who have become offenders the situation has been especially serious. "Many agencies which have done good work among children in various directions are now carrying on their labors under difficulty, owing to the absence at the war of their usual helpers and supporters. For example, the probation system, which obviously depends for its success mainly on the judgment of the probation officer and the interest taken by him in his work, has lost many of the most experienced officers, and it is difficult to obtain satisfactory substitutes."

And the chief inspector of reformatory and industrial schools speaks of the disadvantages under which institutions have labored: "The year 1915 has, owing to the continuance of the war, been one of increasing difficulty in the schools. The stoppage of expenditure on improvements, the loss of officers in the boys' schools, the difficulty of finding holidays camps, the rise in the price of food and clothing, the leaving of many medical officers for active service, and the heavy additional work thrown on those remaining, etc., has made the efficient carrying on of the schools a considerable problem, and it is a matter for congratulation to those in charge of them that so far no serious effects on the children's health have been observable."²

A writer commenting on this chief inspector's annual report says:

"Facilities for effective education and industrial training have
been increasing in these schools, but war has hindered developments.

'The manual training in some schools has nearly disappeared for the 'time being owing to the absence of instructors.'"

Various measures are suggested by Mr. Leeson, not as fully expressing ideal standards which the Howard Association would wish to set forth but as practical expedients for the present. By way of prevention of delinquency he emphasizes the importance of recreation—not only playgrounds and clubs within the city limits but some taste of genuine open-air activity on vacant land in the suburbs. A scheme for organized work and play by city children on suburban

¹ Aitken, G. A.: "Juvenile offenses in war time," in The Child, December, 1916, p. 114.

Report for the year 1915, p. 41.

^{*}The Child, December, 1916, p. 141.

land is proposed by Mr. J. J. Findlay, professor of education at Manchester University:

There is now a large consensus of opinion among teachers of the young that open-air activity, work with some immediate purpose in it, is the best prophylactic for the tendencies that bring school children into juvenile court * * *. Whatever may be true of other children, those who come before the magistrates are restless and self-assertive. They need discipline certainly, but they need occupation away from the confinement of seats and desks. * * The remedy I propose is based upon our modern facilities for rapid transit from the center to the outskirts. The tramway * * * systems are now so developed as to make it easy for the corporation to carry out to land on the outskirts of the city as many children as we want to carry. (For the tramcars in the morning come crowded into the city from the outskirts, but go out half empty, and vice versa in the evening.) Once have the children out from 8 o'clock in the morning to 6 at night on vacant land, and the rest is easy. The bigger boys can help to build; the bigger girls to cook and clean and help mind the little ones. A "society" would soon be created with work to do and a life to lead. Lessons would follow later, when the children have got back to normal relations with life. If such proposals seem foolish and theoretical to some of your readers, even to some teachers. I can assure them that it is just common sense and homely mother wit. * * The land and the things on the land-garden, farm, workshop, including kitchen and washhouse constitute the primitive circle of activities in which the simple children of men have always found release for mind and body, and when disaster and malady overtake a section of society return must be made to these "natural" things if health of mind and body are to be recovered.

Commenting on Prof. Findlay's scheme, Mr. Leeson says: 2 "We would suggest that the education committee and the tramways committee of each locality should appoint a joint subcommittee to work out a scheme on the lines Prof. Findlay suggests. Where it is found impracticable to adopt the scheme in its entirety, it may be possible to adopt part of it; e. g., if parties were organized two or three times a week for nature study in the country, and free passes on the trams were granted, the result would amply justify the experiment." Such a committee, he says, might be part of a larger children's joint committee which should be organized in each community, with representatives of schools and libraries and playgrounds and courts and other agencies which in any way touch the life of children, in order not only to assist in the care of delinquent or difficult children, but to provide such community facilities and supervision as are needed for all children. In the actual carrying on of clubs he suggests that "the difficulty of helpers may be surmounted by finding them to a large extent from the lads themselves." 3 Mr. Leeson refers also to the need for moral guidance as a part of education and to the question of motion pictures.

¹ The Child and the War, p. 60.

^{*} Ibid., p. 61.

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The letter of the undersecretary of state to the justices' clerks throughout England in May, 1916, discusses several practical points in the treatment of children brought before the courts, and especially the importance of making the utmost possible use of probation if a boy's previous record and home surroundings are favorable. He also urges that the justices induce suitable people to undertake club work with boys. Mr. Leeson, writing six months later, also suggests four improvements in the method of dealing with delinquent children:

1. The number of probation officers could be increased even during the war by utilizing the services of women, clergymen, men over military age, and convalescent soldiers.

2. Delinquents placed on probation should be obliged to make restitution of stolen goods or their equivalent. When the offense is not theft, the term of probation should not depend on the payment of the fine but on the circumstances and character of the child.

3. Greater discrimination should be exercised in the commitment of children to reformatory or industrial schools. And when a child's record is good and normal home conditions have been restored, he should be released from the institution "on license." There is especial need of separate provision for children who are defective.

4. Mr. Leeson notes a tendency since the war toward a more frequent resort to floggings. "Flogging by order of the court," he says, "is deprecated on three grounds: First, because it is demoralizing; second, because so long an interval necessarily elapses between the child's offense and his punishment for it; and, third, because it offers to the magistrate a simple solution for many situations otherwise requiring thought."

In 1917, the British Penal Reform League issued, under the title "A National Minimum for Youth," the recommendations of "a committee appointed to consider a policy with regard to the problems connected with juvenile delinquency." These recommendations include further development of probation, detention homes, and specialized courts for children and young persons up to the age of 21 years. As immediate measures they advise the formation of local councils of juvenile welfare, expert supervision of play centers, compulsory attendance at day continuation schools, and abolition of street trading by children under 18. They discuss also general problems of social and industrial conditions, and especially emphasize the primary importance of such adequate parental care as can not be given by overworked fathers and mothers.

Certain things have already been done with a view to checking the increase of delinquency: Special joint committees were ap-

¹ The Child and the War, p. 59.

pointed in 1916 by the justices and educational authorities in various English eities; the Home Office also appointed a committee and suggested ways of checking objectionable films; and in January, 1917, the board of education issued regulations under which grants in aid are payable to local authorities maintaining play centers after school hours and on Saturdays for children of school age, provided the play center meets certain minimum requirements.

FRANCE.

The evidence of an increase in juvenile delinquency in France during the war is not so clear. Statistics are offered by the chief of police of Paris, and by the committees for the protection of children brought to court in Rouen and Marseille, that seem to indicate larger numbers of delinquent children under 16, and especially of boys under 16, during the year 1915 than in earlier years. But in Paris fewer arrests of girls, whether of girls under 16 or girls between 16 and 21, were reported in 1915 than in 1914.

In the parliamentary discussion of a law directed against the cadet, which was passed in December, 1916, it was stated, however, that every one was thinking with disquiet of the great increase in the procuring of prostitutes among young people. Other repeated references to the intensification of the problem of prostitution in Paris since the war lead one to suspect that the slightly smaller number of girls arrested in Paris during 1915 may be due, in part at least, to a relaxation of police surveillance.

We find in the same parliamentary discussion complaint that the courts did not punish an apache playing with a revolver provided he missed his aim. "It is therefore necessary to strengthen our penal legislation in this respect [playing with firearms]. It is more necessary to do so because the war is likely to bring with it habits of violence against which society must take measures."²

The statements by the committees for the protection of children brought to court, and other writers in the Revue Pénitentiaire, suggest that in the conduct both of school children and of older minors, France has a problem which, it is realized, can not be set aside until after the war, but special war-time causes are scantily discussed. The weakening of parental authority through the absence of the father and the employment of the mother is several times referred to and, less frequently, the influence of sensational films. No comprehensive review of the situation seems to have appeared. Naturally, therefore, we have found no comprehensive outline of remedies.

¹ Journal Officiel, Dec. 30, 1916, p. 11192.

Journal Officiel, Documents Parlementaires, Chambre, 1916, annèxe No. 1978, p. 576.

The editor of the Revue Pénitentiaire cites with approval the official order of the mayor of Gentilly and would like to see it "vigorously enforced in all French communes." The mayor said:

Considering the number of children of school age (under 13 years) one meets daily in the streets of the town, where they are contracting habits of laziness and vagabondage, disturbing traffic and the peace, and becoming victims of accidents; considering the fact that public schools are maintained in the community which, according to the law of March 28, 1882, these children must attend; and considering the present circumstances under which most of these children are deprived of paternal authority and which make it incumbent upon the public authorities to protect them and make them respect law and order—it is forbidden, under article 471 of the penal code, for fathers, mothers, and guardians to allow their children or wards between 6 and 13 years of age to run about the public streets without supervision. In case of infraction of this provision, these children will on school days be arrested and taken to the office of the public school, without exempting the persons who are liable to a penalty under the above-cited article 471 of the penal code, or, in case of repetition of offense, under the law of March 28, 1882.

Juvenile delinquency was the subject for discussion at the meeting of the Académie des Sciences Morales et Politiques on October 20, 1917. A classification of delinquent children under 13 years of age was presented. The "incorrigibly perverted" should be sent to correctional institutions; the mentally weak and morally diseased, victims of hereditary alcoholism, syphilis, etc., should be sent to special asylums; but the victims of bad environment, who were estimated to be about one-third of all young delinquents, were thought to need, not institutional care, but constructive work in the community. For them it was suggested that "in cases which do not come before the court a staff of investigators should be appointed to study the situation of children living in a bad environment, even if they had committed no crime; that in cases which come before the court persons should be appointed capable of supervising the families to whose charge the children will be intrusted in order to avoid the disadvantages of an institution. The police, too much occupied with the real delinquents, have no sufficient staff for such work as this." 3

Perhaps it should be explained that under the French law on courts for children and young persons and on probation only minors who are actually charged with offenses appear before the juvenile courts created by the law of July 22, 1912. The importance of extending the powers of these courts to include the care of neglected children had been urged by French writers before the war.

Certain amendments to the juvenile court law have been under discussion since the war. In October, 1916, a bill was introduced which has been passed by the Senate, but not yet, apparently, by the Cham-

¹ Revue Pénitentiaire, April-May, 1915, p. 394.

Law on compulsory school attendance.

^{*}Journal Officiel, Oct. 23, 1917, p. 8416.

⁴ Ibid., July 25, 1912, p. 6690.

ber of Deputies, providing that children on probation must attend court in person for further sentence, and giving the judge power to secure their persons during appeal by sending them to the house of detention.¹ Another amendment enacted into law in June, 1917,² provides for the appointment of an advisory board for each institution for delinquent children. Discussion has also been revived of a bill introduced in 1910 which would amend the provisions concerning vagabonds and prostitutes under 18 years of age.³

Far more important, however, is the war-orphan law enacted on July 24, 1917,⁴ which provides a new type of social guardianship for every child whose father, mother, or breadwinner has been killed or incapacitated by the war. This guardianship is intended to strengthen the normal family life which is everywhere the first essential in the prevention of delinquency. And, referring again to Mr. Leeson, we may well recall his words about English children, for they are of universal application: ⁵ "It is not the comparatively few delinquent children, but that greater number who live in the unwholesome conditions from which delinquents come, that are the more important problem."

GERMANY.

A general increase in the number of delinquent children in German cities was indicated in 1915 by published statements of probation officers and social workers in Berlin and elsewhere. Judge Hellwig, of Berlin, considered that these did not furnish an adequate basis for definite conclusions about the extent, or the causes, of increased delinquency, so he instituted an inquiry of his own. He writes in Die Grenzboten for March 15, 1916:

"By means of a questionnaire sent out some months ago to juvenile courts and police authorities, which was in the main most amiably answered, I have received a series of further relevant statements which enable us better to understand the problem. I am nevertheless very conscious that these enlarged sources are insufficient for a final answer to the serious question of juvenile criminality in war time." But tentatively, from the material before him, he concludes: "This much appears certain, that the figures for the juveniles brought before the courts apparently decreased almost everywhere in the first months of war, then gradually increased again, and that these figures in the last months as a rule reached a height never known before."

¹ Journal Officiel, Documents Parlementaires, Sénat, 1916, annèxe No. 898, p. 530; Revue Pénitentiaire, November-December, 1916, p. 486, and January-February, 1917, p. 51. ² Journal Officiel, June 10, 1917, p. 4502.

³ Journal Officiel, Documents Parlementaires, Sénat, 1917, annèxe No. 66, p. 135.

⁴ Journal Officiel, July 29, 1917, p. 5892.

The Child and the War, p. 68.

Judge Hellwig's analysis of the difficulties involved in a correct estimate of the problem may well be briefly reviewed. He reminds us that the figures apply to large cities only. The nature of the offenses is not entirely clear:

It is evident that it is not the same if all thefts have considerably increased, or if the increase of criminal acts is to be explained by an increase of thefts of food as well as poaching; if crimes of violence have greatly increased or if it is only an increased number of cases of rough mischief and injuries to property and persons which are not more than a criminal form of child's play, harmless in itself * * *. When I look over the material which has come to me on the criminality of youth in war time, I should assume that these less serious offenses and similar lighter ones have increased, and that therefore the criminality seems worse than it really is,

Furthermore, war legislation has penalized acts innocent in time of peace; and it is possible that a growing irritability to offenses on the part of the public and of the police may cause arrests for acts unnoticed in normal times. Judge Hellwig believes also that "for a part of the youth, and especially juveniles demoralized or already punished, war has had a morally improving effect."

On the other hand, "many boys of the 16 to 17 year old group, which generally has the largest share of juvenile criminality, have gone into the service as volunteers and by this means have left the field of the juvenile court and come into the province of military justice. * * * While the figures of the punishable offenses of the 16 to 17 year old population have much decreased, the figures for the younger age groups have in part risen quite extraordinarily. For like reasons the establishment of war-time courts (Kriegszustandgerichte) in some districts falsifies the picture. As they have exclusive jurisdiction over certain offenses, the juveniles sentenced for these offenses do not appear in the figures of the civil courts." Among minors under civil jurisdiction, moreover, many offenses doubtless remain undetected because of the depletion of the police force and the increasing difficulty of supervision.

But Judge Hellwig concludes that "even from the present material we may deduce that probably the criminality of the younger age groups has increased during the war, so far as important cities are concerned." Less guarded, apparently, are the conclusions in a book by the same author which followed this preliminary study. Unfortunately, the book itself has not been received in this country, and we must depend upon detailed reviews of it appearing in Concordia, Zeitschrift der Zentralstelle für Volkswohlfahrt, in the London Daily Mail 2 and in Pravo, a Petrograd weekly. According to the Russian review, Dr. Hellwig placed early prostitution first among the types of delinquency increased by the war.

The breakdown of family life in war time is given by many of the German writers as the chief danger to the well-being of the children. "The father is usually in the field and his strong oversight wholly lacking; the mother is usually separated from the family for the greater part of the day by her industrial work, which, according to the reports of the sickness insurance funds, has greatly increased." But absence of the men teachers (more than 6,000 in Prussia alone had joined the colors in 1916, according to the Prussian minister of education); the use of school buildings for military purposes especially in the larger cities; the crowding of young workers to the capitals; lack of police supervision; aimless hanging about on the streets, vicious reading and sensational moving pictures, and the unrest of the war atmosphere; and destitution, child labor, and physical exhaustion are all variously stressed as causes of youthful crime.

Judge Hellwig's analysis of causes is summarized by the German reviewer ³ as falling into three groups. Economic conditions are placed first, then antieducational influences, and "other causes." The Russian reviewer emphasizes also the economic causes:

The crimes are committed almost exclusively by children of the lower class, to whose family and economic life the war has been catastrophic * * *. Acute unemployment in the first months of the war has brought many families to the verge of poverty, and thrown on the streets many young boys and girls, making of them criminals or prostitutes. Later on, in some occupations, the conditions have been abruptly reversed. A shortage of labor was felt and adolescents began to receive high wages to which they were not used and which they could not use sensibly. Thus this sudden and striking increase of wages also had sad results. Besides, very often young boys found themselves in responsible positions which were intrusted before only to persons of more or less advanced age and balance of character. Frequently the temptation of these positions was too strong and the children were led into crime.

The remedies that have been proposed or tried are of various kinds. Official measures seem to have been chiefly restrictive, but our information is incomplete; for the latter months of 1916, no material is available. It is entirely possible that some of the more constructive suggestions have been adopted. In Württemberg, in 1915, the minister of the interior issued a proclamation making more strict the measures in regard to the frequenting of public houses by minors, absence from school, and presence of minors on the streets at night, and concerning public motion-picture houses. The earnings of minors were to be paid to parents or guardians and not directly to minors themselves. The power of the guardianship courts was to be invoked in proper cases. In the city of Cassel a military order was issued early in 1916 from which we learn that by a previous order wages of minors had in Cassel been paid to the parents. The later order requires that part of

¹ Soziale Praxis, June 10, 1915, p. 863.

^{*} Ibid., Mar. 16, 1916, p. 572.

^{*} Concordia, Feb. 15, 1917.

⁴ Pravo, Feb. 5/18, 1917, columns 255-256.

the wage shall be deposited to the minor's credit in a savings bank to be held until the end of the war, or until the completion of the wage earner's twenty-first year. Further, minors were forbidden to leave their places of residence without special permission. A compulsory savings measure was also enacted for Berlin. In other cities, we learn, it has been forbidden to sell or give away pipes, cigarettes, or tobacco in any form to minors under 16.

The need for educational and preventive work is variously stated. For example, one writer refers to the need for instruction in gymnastics at the continuation schools; the minister of justice in Bavaria calls upon the judges of the guardianship courts, who are responsible for orphans, to cultivate close relations with all other agencies concerned with children and youths and to make greater effort to protect the war orphans and others endangered by the absence of the father in the field or by the deterioration of home influences. A writer in Die Grenzboten urges that the exploitation of children must be prevented:

Certain mental impairments and moral defects which result in criminal acts have their roots in childhood. They flourish in the mind of an overtaxed child as well as in that of an unsupervised child, in the mind of one who through toil and exploitation never found time for a child's laughter or play, in the souls of those who were too early put into the harness ever to be children.

It will never be possible to limit altogether our children's activities. * * * But the exploitation of children can be avoided. In the interest of our development as a people let it be therefore to-day more than ever one of our clearest and most insistent demands: Safeguard the children; do not make use of them.

From Judge Hellwig's reviewers we learn that he urges extensive unemployment relief, assistance and advice to mothers, and educational work and social work among children and adolescents: "Hellwig expresses himself very decidedly against the proposed militarization of German youth, and quotes well-known educators in support of his opinion. The education of children to hatred of their enemies is also sharply criticized by Hellwig. Such a policy cuts off the way to future international work for culture and emphasizes our fear that these present unhappy days may be repeated." ²

That restrictive measures are also advisable, in Judge Hellwig's opinion, is stated by his German reviewer and again, more emphatically, by Judge Hellwig himself in an article in the Preussische Jahrbücher of October, 1917:

The orders were not always issued in good form, nor was their publication always expedient; for instance, when it was evident beforehand that they would remain on paper, because they could not be enforced; but in the main the

fundamental thought of these orders deserves approval. Our warm thanks are due to the military commanders for having taken up a problem which was frequently discussed in times of peace, but which our civil authorities could not solve without a change in legislation. * * * It is quite certain that these questions will be discussed with due thoroughness in the parliaments; and, in my opinion, it is to be hoped that measures similar to those taken by the military commanders will be adopted. Best of all would be an imperial law; but if this should not be possible, then uniform laws should be passed by the separate States.

Judge Hellwig refers to a petition sent in October, 1916, by a defense society to the Imperial Council and the Reichstag, urging that the war measures taken by the military commanders and various civil authorities be continued in time of peace. And he states that a resolution to the same effect was adopted in both houses of the Bavarian Parliament.

In the same article we find admirable statements of the opposite view, introduced as a basis for argument. For example, the opinion of Judge Köhne, of Berlin, is summarized and quoted as follows:

It depends upon the local conditions whether such orders can be enforced; in the larger cities their enforcement is particularly difficult and their effect harmful. The only desirable measure would be the prohibition of the sale of alcoholic liquors to young people, punishing for this offense the person selling it. "But we can not be too emphatic in our warning against introducing new legal liabilities for young people and thus increasing immeasurably the number of children brought before the judge." The quality of the judge's work must not be allowed to deteriorate by reason of his increasing burden; moreover, only light penalties could be imposed, and these would tend rather to blunt the child's sensibilities than to induce a wholesome fear. "The problem of the increase of delinquency among our young people is to be solved not by the creation of new categories of crime, nor by police power, but by intensive educational work, and judges and the police can not serve as educators. New laws attempting to suppress unwholesome tendencies can easily bring about evils greater than those which they are designed to overcome."

It is apparent that among all child-welfare workers the effectiveness and desirability of restrictive regulations have been much discussed and widely divergent opinions expressed. A committee on legislation, appointed by the General German Convention on Guardianship (Allgemeiner Deutscher Fürsorgeerziehungstag), had decided (according to Concordia of Dec. 1, 1917) to request that certain orders of the military commanders should remain in force after the war. The same number of Concordia stated that the Central Society for Social Welfare (Zentralstelle für Volkswohlfahrt) has made a special inquiry and collected a mass of data on the practical working and collected a mass of data on the practical working conference of child-welfare experts. No later informatical to the material or the conference has been received.

We have a published summary of the proceeding of an earlier conference of juvenile-court workers, called as a war measure in April, 1917, by the German Central Society for Child Welfare (Deutsches Zentral für Jugendfürsorge). The same question of restrictive orders was discussed, but apparently far more attention was given to the need for improvement in the care of juvenile delinquents. Detention homes, probation, full information about each child before his case is presented to the court, the need for alienists in connection with the courts, and the abolition of prison terms for young people were all discussed. The special importance of systematic training for juvenile court workers was emphasized. This convention appointed a permanent Committee on Juvenile Courts and Juvenile Court Workers (Ausschuss für Jugendgerichte und Jugendgerichtshilfen). committee was instructed to organize subsidiary committees in all the federated States as a means of bringing together juvenile court workers throughout Germany. The immediate work of the committee was to be the securing of funds for adequate juvenile court work in the various federated States, and the reawakening of interest in the bill introduced in the Reichstag in 1912 for the reform of procedure in juvenile cases. If it proved impossible to bring this bill forward, the committee was to draft a new bill with a similar purpose.

The general question of revising all laws affecting children has also become prominent during 1917. In November a commission representing many organizations concerned with the care and protection of young people was formed with the express purpose of coordinating the plans already under way. The scope of the proposals cited by the commission is wide, touching such diverse questions as military training for young people and public relief for children. As not of least importance are mentioned drafts of amendments to the penal law, as it affects young people, already prepared by the Committee on Juvenile Courts and Juvenile Court Workers. The detailed program of the commission's work was to be offered in January, but it has not yet (April, 1918) been received in this country.

ITALY.

In no country, apparently, during the last three years has juvenile delinquency been more generally discussed than in Italy. But this does not mean that for Italy we find the fullest analysis of the relation of war to delinquency; rather the contrary. The present discussion merely continues a movement, many years older than the war, which aims to reconstruct entirely the methods of caring for delinquent children.

JUVENILE DELINQUENCY. One striking passage is found, however, in an article b inte, Giulia Benelli, in December, 1916. He says:

The problem of the possible future forcesse of juvenile delinquen The promone of so many soldiers, sens, so many orbitans of or the parties of so many fathers mutilated and unable to I their families, the and hereality from fathers who have Hved th torrible payable inductor of the elecusing life of the war zone and mo the suffered their daily anxiety and tears—this grave and alarming son not possibly he ignored.

In mider to learn something of the immediate effect of t the procurators general throughout to the procurators general throughout by importy on the status of juvenile delinquency in their res the considers that the replies are very disappoint remarks and facts; the procurators give evide the sortions study of a serious subject, and complain of what is in those own fault. "One of the main causes of juvenile delinques the holliciant work of the magistracy in guardianship cases."2 the of the replice makes interesting comments. For example, figure from Milan paters to the fathers who are under arms and Higher Ham with the more in the mothers, Bologna also reports that parameter the morners of the consequent relaxing former attention of the special property for juvenile delinquency. And the firm of the square remains the fact of that the war has absort The properties are properties that the language of given a fine the property of the state of the second wave of the second was so much benefit with the second second was so much benefit with the second seco for minor from which we might to derive so much benefit will have to wall come time has the proper contination," .

The code for minute he which this refers embodies the program for The code for minute in which this return consocres the program for reforming the freedoment of delinquent children. It was drafted by reforming the treatment of assumption common. It was drafted by a commission after several years of study of juvenile courts in other and it has been mending since November, 1919 (7). countries, and it has been possible since November, 1912, The code proposes to institute a operat magistracy and special courts conproposes to institute a special magnetiacy and special courts concerned with all the interests of children—dependency and reglect.

All comment on the code stresses its as well as delinquency. All comment on the code stresses its value as well as delinquency, an manner on the voue stresses its value as introducing the principle of preventive work in Italy's official as introducing the principle of Preventive work in Italy's official treatment of delinquent children. The demand that the code be enacted in the near future seems to be growing more insistent, and the acted in the near more seems to be suggesting that the most serious the war upon invenile delinquency in Italy has be effect of the war upon juvenile delinquency in Italy has been the I Rivista di Discipline Care-carie e Correllire, December, 1916, p. 381.

s Ibid., Apr. 1, 1917, pp. 122 181, 157

du Droit Pénal, March, Ing. 20. His du pulle de l'entrace. Royae Pénitentinire et

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·However, one notable step toward the prevention of delinquency was taken last July, when Italy adopted as wards of the nation the children whose fathers, mothers, or legal guardians have been killed in the war. As Signor Maffi expressed it, in the debate on the warorphan law:1

It is the interest of the State that these children shall give the best possible physical returns, that the man power of which the future has need shall not be squandered; it is necessary that these poor children should be educated in a way to develop all their mental and moral energies, and that finally they be removed from the danger to which so many neglected children are subjected. the danger of juvenile delinquency.

The fulfillment, in part, of the hope expressed by Signor Maffi "that what is to-day approved for war orphans may to-morrow be enjoyed by all orphans" is looked for as one of the benefits to Italian children from the long-desired code.

RUSSIA.

Vagrancy, theft, and prostitution are the three phases of juvenile delinquency to which Russian writers during the war have repeatedly referred. Of general statistics there are none; but we read that asylums for delinquents are flooded with children, judges and officers of children's courts are overworked, and a startling increase in delinquency is uniformly admitted by judges and social workers whose statements have come over to us.

Certain causes seem to be of special importance in Russia. The absence of the father and the employment of the mother and the use of school buildings for military purposes are noted here as elsewhere, but far more stress is laid upon homelessness, industrial conditions, and the absence of legal protection for girls. Judge A. A. Matern, of the juvenile court in Moscow, points out that the problem has not been wholly caused by the war, which has only aided the development of the unfavorable social conditions under which children have to live, particularly in large cities.2

Soldiers' orphans, child volunteers, and refugee children have swelled the number of homeless children. For soldiers' orphans the Government has tried to make special provision. Many of the child volunteers, on the other hand, have found their way to prison. In the early months of the war, as we read in the Moscow paper, Russkiia Viedomosti:8

In endless numbers the child volunteers returning from the front flow through Minsk on their way home to their parents. They come with groups of transported prisoners. They had run away from home to fight the enemy and were

³ Feb. 12/25, 1915.

¹ Atti Parlamentari. Camera dei Deputati. Session of July 2, 1917, p. 13751.

² Russkiia Viedomosti, Sept. 21/Oct. 4, 1916.

held because they had no papers of any kind. The other day in the Minsk Province prison there were found 60, all from 11 to 16 years of age. * * * According to the law, child prisoners are to be kept apart, but at present the law is not enforced, and they are with adult prisoners of all types.

Far more serious in extent was the problem of the refugees. The thousands of refugee children pouring into Moscow from the war zone found the authorities unprepared. Various organizations tried to provide shelters for the children and to arrange for their distribution to other cities, but they could not adequately meet the problem. Girl refugees concentrated in large numbers at the railway stations easily became the victims of procurers; some of the girls, already themselves corrupted, were tempting other children to follow their example.

But complaints of vagrancy come from other parts of Russia also. The Kiev department of the official Tatiana Committee for War Sufferers' Relief collected data showing the growth in the numbers of homeless wandering children in Kiev and vicinity. "The children are demoralized and refuse to work, preferring tramping. Many children have gone as far as the Caucasus, the Volga, and Siberia. When the cold weather comes they enter asylums, but upon being furnished with clothing they run away."

Part of the blame for the unprecedented increase of homeless children in the cities is placed upon the changed industrial conditions. Again we quote Russkiia Viedomosti of Moscow:²

The Moscow industries, losing a large amount of labor with every new call to arms, draw a new army of workers from the growing youth of country and village. And the village, full of rumors of high wages in Moscow, sends these youths and boys, sometimes having no family or means of support, not fully developed mentally, inexperienced, often without sufficient clothing. In Moscow they find refuge only in public tea houses and railway stations and sometimes sleep on freight trains. They have no home, no bed of their own, often no bread, not to speak of other food; theft because of need becomes a frequent occurrence.

And this, in an earlier issue: 3

The demoralizing effect of the slums on child news sellers who have no decent place of shelter was pointed out in the city council. The same thing is true of other working children. Crowds of children from 9 to 15 years of age are found on the streets at midnight in front of the night tea houses. Boys are soon drawn into the life of these night tea houses * * *. In many of the lodging houses whisky is sold, and many are filled with prostitutes. Even so, it is difficult to get a bed * * *. The above conveys only an idea of the horrible conditions under which the working children in Moscow have to live at present.

The special dangers surrounding young girls in industry are described by Mr. V. Levitsky in the Bulletin of Education (Viestnik

¹ Russkiia Viedomosti, Jan. 17/80, 1917.

^{*}Jan. 31/Feb. 18, 1917.

Vospitaniia) for February, 1917. He says that boys are at present considered more valuable and are better taken care of than ever before, but "especially difficult is the situation of little girls working for a living. The employers often ignore all regulations as to the working day, rest, or age; the children, especially girls, must work as long as they are compelled by the employer * * *. The little working girl is not protected from the advances of the employer and of her fellow-workers, whether she is in a large factory, in a small shop, restaurant, hotel, or other place. A person abusing a hungry, homeless little girl commits no crime punishable by the existing laws or regulations."

That the situation demands a comprehensive program if children are to be safe and if delinquents are to be adequately cared for is well understood. Separate courts, with a limited staff of probation officers, had been established in a few cities before the war; the movement for extending juvenile courts and making probation efficient has continued; the need of detention homes for the temporary care of children brought to court, who have no homes or who can not safely be returned to their homes, and the need of suitable institutions for their permanent care are repeatedly emphasized. For example, we read in the Moscow paper: 2

The committee especially formed with the purpose of suggesting measures that would facilitate the work of the judges in juvenile court cases reported lack of medical help, which appears necessary in connection with the court. It also reported the necessity of caring for children who were suffering from severe treatment in shops, if they have no relatives, and of opening in one of the police stations a separate depot for juvenile offenders, apart from adults.

* * Moreover, the committee expressed the wish to enlarge the Rukavishnikov Asylum, to form new educational institutions including special vocational classes, to establish an asylum for girls since no such special asylums with one exception—Bolsheviki—exist in Moscow, and to arrange for night lodgings in connection with the juvenile court which would make it possible to get acquainted with the individuality and character of the delinquents.

But the public is reminded that "there can be no sense in bringing to court and sentencing children who frequently lack shelter or clothing" and not doing anything to supply their needs. More clubs and recreation centers and more opportunity for education must be offered, and organizations for social welfare must combine to protect girls against prostitution.

These suggestions of Russian social workers had found expression in isolated efforts in certain cities before the Revolution. Our scat-

¹ Viestnik Vospitaniia, February, 1917, p. 169.

Russkiia Viedomosti, July 10/23, 1916.
 Ibid., Jan. 31/Feb. 13, 1917.

tering information doubtless understates the work that has been done. We do read, however, of private activities in Moscow and elsewhere and of increased expenditures from public funds on behalf of delinquent children in Petrograd and in Kiev. And in February, 1917, the minister of justice presented to the suitable departments a bill providing for punishment of all attempts on the morality of minor girls, and pointing out the necessity of passing such a law without delay because of the numerous cases of inducing girl refugees to immorality. No record has come to us, however, of the passing of such a bill.

Under the new Ministry of Social Welfare established with the Revolution a national conference on child welfare was planned for August, 1917, and the preliminary committees were asked to prepare for discussion at the conference a children's code to regulate the social care of children. Further information about this conference and its outcome is unfortunately lacking.

CONCLUSION.

Not yet can we attempt to measure the effect of the war upon juvenile delinquency in the United States. But in the war-time experience of other countries we see certain injurious conditions which are being repeated here, and many of the measures of prevention and care recommended by foreign writers express principles which no community can afford to disregard, but which are not yet effective throughout the United States.

Is it inevitable that the war should deprive children of a normal home life? Must mothers be gainfully employed? And surely, the community can maintain its standards of schooling and provide, even in war time, ample opportunity for wholesome play. Now, more than ever, do the children who are without proper guardianship need individual care and training, and those who have become unruly need the attention which special courts can give. In so far as the war is allowed to interfere with the work of trained probation officers, psychological experts, and the staffing of institutions for delinquent and for defective children; in so far as it is allowed to hinder the extension of modern methods of care—whether in large cities, small towns, or rural counties—the war is inflicting a positive injury not only on the delinquents themselves but on other children and on the community as a whole.

¹ Viestnik Vremennago Pravitelstva, July 15/28, July 28/Aug. 10, 1917.

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¹ In addition to the sources enumerated, all available official bulletins for each country were read, but only those which yielded material on juvenile delinquency are included in the list.

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No. 1. Laws Relating to Mothers' Pensions in the United States, Denmark, and New Zealand. 102 pp. 1914. Bureau publication No. 7. (Out of print. Revised edition in preparation.)

No. 2. Mental Defectives in the District of Columbia: A brief description of local conditions and the need for custodial care and training. 39 pp. 1915. Bureau publication No. 13.

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No. 4. Juvenile Delinquency in Rural New York, by Kate Holladay Claghorn. — pp. 1918. Bureau publication No. 32. (In press.)
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No. 1. Baby-Saving Campaigns: A preliminary report on what American cities are doing to prevent infant mortality. 93 pp. 4th ed. 1914. Bureau publication No. 3. (Bureau supply exhausted. Copies may be purchased from Superintendent of Documents at 15 cents each.)

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No. 4. Infant Mortality, Montclair, N. J.: A Study of infant mortality in a suburban community. 36 pp. 1915. Bureau publication No. 11.

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No. 1. Child-Labor Legislation in the United States, by Helen L. Sumner and Ella A. Merritt. 1131 pp. 2 charts. 1915. Bureau publication No. 10. Bureau supply of complete volume exhausted, but reprints can be obtained as follows:

Child-Labor Legislation in the United States: Separate No. 1. Analytical tables. 475 pp. 2 charts. Child-Labor Legislation in the United States: Separates Nos. 2 to 54.

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Part 1. Employment-Certificate System, Connecticut, by Helen L. Sumner and Ethel E. Hanks. 69 pp. 2 charts. 1915. Bureau publication No. 12.

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No. 1. Maternity and Infant Care in a Rural County in Kansas, by Elizabeth Moore. 50 pp., 4 pp. illus., and 1 chart. 1917. Bureau publication No. 26.

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No. 1. Norwegian Laws Concerning Illegitimate Children: Introduction and translation by Leifur Magnusson. 37 pp. 1918. Bureau publication No. 31.

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No. 9. How to Conduct a Children's Health Conference, by Frances Sage Bradley, M. D., and Florence Brown Sherbon, M. D. 24 pp. 1917. Bureau publication No. 23.

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Wolfe. 56 pp. 1917. Bureau publication No. 25.

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Part 1. Suggestions to Local Committees. 8 pp. 1918. Bureau publication No. 38.

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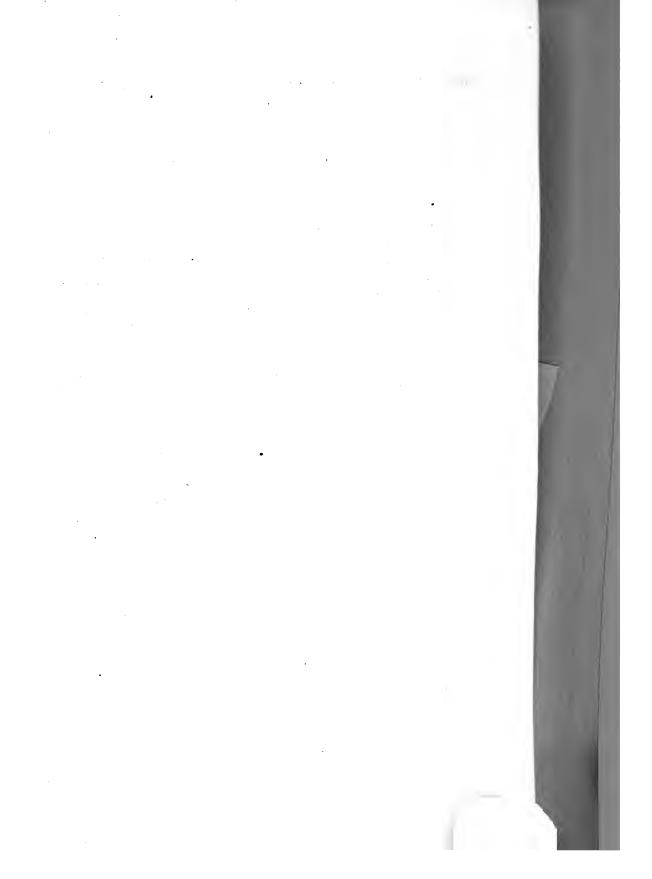
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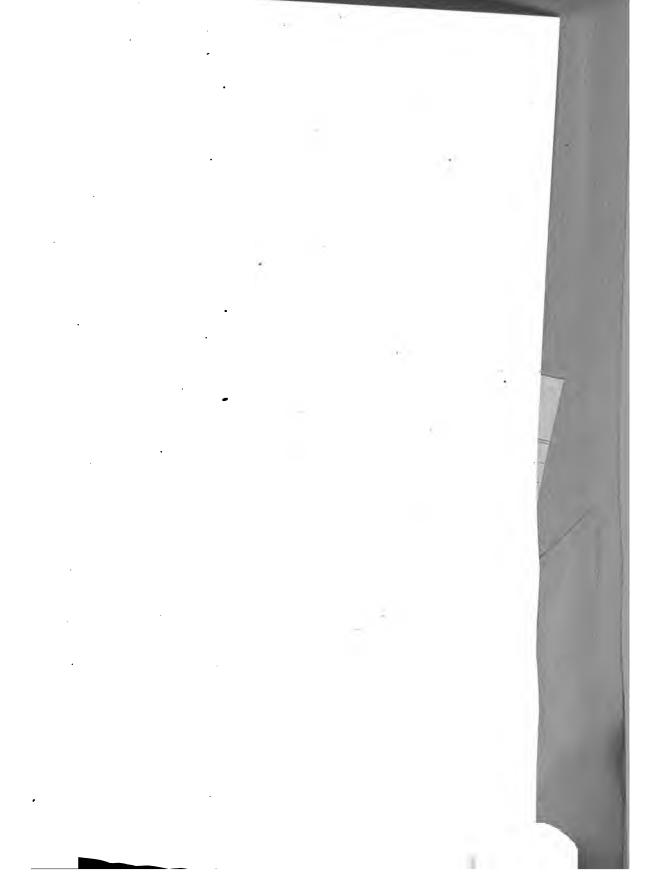
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